



## ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Report of Administrator of Insolvent Estate; Request for Discharge**

<b>DOD: 2/9/1996</b>		<b>PUBLIC ADMINISTRATOR</b> was appointed as Administrator, with full IAEA authority on 6/19/2001.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Letters issued on 6/19/2001.	1. Need proof of service of the Status Report on Department of Health Service pursuant to the Request for Special Notice filed on 8/29/2001.  2. Need proof of service of the Notice of Hearing on Tino Carranza, brother/heir.
<b>Cont. from</b>		Inventory and Appraisal filed on 8/8/2001 shows the estate valued at \$216,606.57 consisting of a default judgment of Raymond Carranza v. Joe Guerra, et al. Santa Clara County Superior Court case no. 720015 dated 8/8/1996.	
	<b>Aff.Sub.Wit.</b>		
✓	<b>Verified</b>		
	<b>Inventory</b>		
	<b>PTC</b>		
	<b>Not.Cred.</b>		
✓	<b>Notice of Hrg</b>		
✓	<b>Aff.Mail</b>	W/	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>	X	
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>		
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		

Department of Health Services filed a creditor's claim in the amount of \$7,335.22 on 9/4/01.

**Petitioner states** states this case was referred to the Public Administrator by Attorney Richard Hyppa from Tracy CA. Attorney Hyppa represented the decedent in a 1992 Santa Clara County matter involving "swindle" of real property.

On 1/27/2002, Deputy Public Administrator Nina Acosta appeared in Court for a Settlement Conference. No settlement was reached and the case was set for trial the following week. On 2/12/2002 Mr. Hyppa sent an email to the Public Administrator stating that the Judge had decided against him.

If the judgment had been awarded, it would have been the sole asset of the estate. Therefore, the Public Administrator never had control of any other assets, and the estate remains insolvent.

Deputy Public Administrator Noe Jimenez called Attorney Hyppa, who reported that the case was essentially lost due to the statute of limitations.

The Public Administrator requests to have this estate dismissed and he be discharged. There were never any assets to marshal, so no accounting is required.

**Reviewed by: KT****Reviewed on: 1/7/14****Updates:****Recommendation:****File 1 - Carranza**

## (1) Second and Final Account and Report of Conservator (2) petition for Allowance of Compensation to Conservator and Attorney

<b>DOD: 9/3/13</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 2/6/07 – 9/3/13	
		Accounting - <b>\$26,890.97</b>	
<b>Cont. from</b>		Beginning POH - <b>\$1,639.97</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Ending POH - <b>\$1,970.59</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Subsequent account period: 9/4/13 – 10/4/13	
<input type="checkbox"/>	<b>Inventory</b>	Accounting - <b>\$6,768.54</b>	
<input type="checkbox"/>	<b>PTC</b>	Beginning POH - <b>\$1,970.59</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	Ending POH - <b>\$3,121.46 (cash)</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Conservator - <b>\$732.72</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	(3.32 Deputy hours @ \$96/hr and 5.50 Staff hours @ \$76/hr)	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Attorney - <b>\$1,250.00</b> (per Local Rule)	
<input checked="" type="checkbox"/>	<b>Sp.Ntc.</b>	Bond fee - <b>\$175.00</b> (o.k.)	
<input type="checkbox"/>	<b>Pers.Serv.</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	1. Approving, allowing and settling the second and final account.	
<input type="checkbox"/>	<b>Letters</b>	2. Authorizing the conservator and attorney fees and commissions	
<input type="checkbox"/>	<b>Duties/Supp</b>	3. Payment of the bond fee	
<input type="checkbox"/>	<b>Objections</b>	4. Payment of remaining estate on hand to the Department of Health Services in partial satisfaction of their creditor's claim.	
<input type="checkbox"/>	<b>Video Receipt</b>		<b>Reviewed by: KT</b>
<input type="checkbox"/>	<b>CI Report</b>		<b>Reviewed on: 1/7/14</b>
<input type="checkbox"/>	<b>9202</b>		<b>Updates:</b>
<input checked="" type="checkbox"/>	<b>Order</b>		<b>Recommendation:</b>
<input type="checkbox"/>	<b>Aff. Posting</b>		<b>File 2 – Miranda</b>
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

Atty Buettner, Michael M. (for Owen Overton – Administrator/Petitioner)

Atty Ramirez, Edward R. Jr. (for Ana D. Overton – spouse/objector)

## Petition for Approval Settlement Agreement

<b>DOD: 03/11/10</b>		<b>OWEN OVERTON</b> , Administrator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Cont. from</b>		<b>Petitioner states:</b>	
	<b>Aff.Sub.Wit.</b>	1. Petitioner was appointed Administrator with full IAEA authority on 05/25/10. The decedent was survived by his spouse, Ana Overton, and four children.	
✓	<b>Verified</b>	2. On 05/16/13, Petitioner filed a Petition for Settlement of First Account herein.	
	<b>Inventory</b>	3. On 06/14/13, Ana Overton filed a Petition for Determination of Entitlement to Estate Distribution and an Objection to the Petition for Settlement of First Account.	
	<b>PTC</b>	4. Extensive negotiations were conducted for the compromise and settlement and the attached Settlement and Release was reached.	
	<b>Not.Cred.</b>	5. Petitioner believes the settlement agreement is just, fair and reasonable, and in the best interest of all persons interested in the estate.	
✓	<b>Notice of Hrg</b>	6. The primary issue was claiming that all of the assets were community property, which would have resulted in all estate assets going to Ana. Petitioner's position was that all assets were decedent's separate property, which would have resulted in Ana receiving 1/3 of the assets of the estate. Ana Overton has signed deeds by which she appeared to transmute the property to decedent's separate property, but she denied that she understood what she was signing. The parties settled in the middle and agreed that Ana Overton would receive ½ of the estate.	
✓	<b>Aff.Mail</b>		
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>		
	<b>Letters</b>		
	<b>Duties/Supp</b>		
	<b>Objections</b>		
	<b>Video Receipt</b>		
	<b>CI Report</b>		
	<b>9202</b>		
✓	<b>Order</b>	7. There were other issues that also needed to be resolved and the settlement was entered into to avoid further expensive and protracted litigation and to avoid the uncertainty of outcome which would have been adverse to one or more beneficiaries.	
	<b>Aff. Posting</b>		
	<b>Status Rpt</b>		
	<b>UCCJEA</b>		
	<b>Citation</b>		
	<b>FTB Notice</b>		
		<b>Petitioner requests that the Court approve the settlement agreement and authorize and direct the interested parties to perform according to its terms.</b>	
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 01/07/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 3 – Overton</b>

Atty Shekoyan, James E., of Baker Manock & Jensen (for John R. Panzak, Jr., Deceased Executor;  
 Atty Risner, Randy, sole practitioner (for Objector Gordon Panzak, Beneficiary)

## First and Final Account of Deceased Personal Representative (PC 10953)

<b>DOD: 3/12/2010</b>		<b>JAMES E. SHEKOYAN</b> , legal representative for <b>JOHN R. PANZAK, JR.</b> , Executor appointed on 8/11/2010, is Petitioner.  <b>Account period: 3/12/2010 – 2/15/2013</b> Accounting - <b>\$620,182.86</b> Beginning POH - <b>\$575,843.31</b> Ending POH - <b>\$558,887.37</b> <i>(POH consists of brokerage account and vehicle.)</i>  Executor - <b>not requested</b>  Attorney - <b>not requested</b>  Costs - <b>\$1,765.86</b> <i>(filing fees, publication, certified copies; research by runner; parking fees and travel/mileage to Court)</i>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>Page 18</b> is the related matter of the John R. Panzak Living Trust, Case #13CEPR00196.  <b>Continued from 11/6/2013.</b> Minute Order states Mr. Paloutzian is appearing specially for Attorney James Shekoyan.  <b>Note:</b> Court records show the Case Management Conference in Case #12CECG03842 was continued to 10/15/2013, citing the reason "service." Entry for 10/15/2013 states Order to Show Cause hearing was set for 12/19/2013 at 10:00am in Dept. 401 for plaintiff for failure to serve. Entry for 12/18/2013 states Motion for Continuance granted; OSC scheduled for 12/19/2013 is now rescheduled to <b>02/27/2014 at 10:00 am in Dept. 401</b> per plaintiff request.  <b>Note:</b> Letters of Administration with Will Annexed issued to the Public Administrator on 6/3/2013. Court may set status hearing for the filing of the final account of the successor personal representative on <b>Friday, August 8, 2014, at 9:00 a.m. in Department 303.</b>  <b>Note:</b> Please refer to Seventh Additional page for Status Report filed by Public Administrator on 1/7/2014.  <b>~Please see additional page~</b>
<b>Cont. from 090413, 091813, 110613</b>			
<input type="checkbox"/>	<b>Aff.Sub.W</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>		
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>	<b>Petitioner states:</b> <ul style="list-style-type: none"> <li>Most of Decedent's assets were in the <b>JOHN R. PANZAK LIVING TRUST</b>, which are not part of the probate estate;</li> <li><b>GORDON PANZAK</b>, son, filed two litigation matters between himself and the deceased personal representative, <b>JOHN PANZAK, JR.</b>, as the Executor of the estate; one of the litigation matters involves the probate estate; the second matter is a civil litigation action filed by Gordon Panzak (Case #11CECG00789) regarding the Decedent's trust and trust assets;</li> <li>John Jr. was prepared to commence trial in the civil litigation action, which was scheduled to begin on 12/12/2012; however, on 12/6/2012, Gordon dismissed this case without prejudice, and on the same day, he filed a new civil litigation action in Case #12CECG03842, citing the same causes of action grievances as alleged in the action he just dismissed;  <b>~Please see additional page~</b> </li> </ul>	
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/S</b>		
<input checked="" type="checkbox"/>	<b>Objection</b>		
<input type="checkbox"/>	<b>Vid Rcpt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Post</b>	<b>Reviewed by:</b> LEG <b>Reviewed on:</b> 1/7/14 <b>Updates:</b> 1/7/14 <b>Recommendation:</b> <b>File 4 – Panzak</b>	
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		

**Petitioner states, continued:**

- The issues in the civil litigation matter are entwined with the issues in the probate estate; as soon as the civil litigation is resolved, John Jr. intended to close the probate estate;
- **SHARON PANZAK**, spouse of John Jr., petitioned this Court to become the successor personal representative citing conflicts of interest in the appointment of Gordon, who also petitioned this Court to be appointed as personal representative;
- On 4/29/2013, the Court appointed the **PUBLIC ADMINISTRATOR** as the successor personal representative of this estate;
- All claims filed with the Court or presented against the estate, consisting of claims by Gordon Panzak filed 12/8/2010 for claims such as rent waste, damage to property, conversion of truck, ½ interest in Santa Cruz real property, and various other items of personal property, totaling **~\$1,582,940.00**, were rejected on 2/28/2011;
- The sole beneficiary of the estate is the **JOHN R. PANZAK LIVING TRUST**; Gordon has received the distributions he was entitled to under the terms of the Trust; the remaining assets of the Trust estate are distributed solely to John R. Panzak, Jr.;
- When John Jr. opened the estate brokerage account, he arranged to have the dividends paid into the account distributed to him monthly (*please refer to Schedule D, Distributions to Beneficiary*); Schedule D shows dividends from pre-August/2010 to 2/15/2013 distributed to John Jr. in the sum of **\$61,168.76**;
- John Jr. was entitled to receive the dividends through the Trust estate; additionally, John Jr. was paying the Decedent's bills and probate administration expenses from these assets;
- **Petitioner requests approval of the monthly distributions to John Panzak, Jr.**

**Petitioner prays for an Order:**

1. Settling, allowing and approving the First and Final Account of the attorney for the deceased personal representative;
2. Confirming and approving all acts and proceedings of the deceased personal representative, including the monthly distributions of the dividends paid to himself totaling **\$61,168.76**; and
3. Authorizing and directing the successor personal representative to pay to Baker Manock & Jensen the sum of **\$1,765.86** for costs advanced to the estate.

**NEEDS/PROBLEMS/COMMENTS, continued:**

**Note:** The devisee of the estate pursuant to Decedent's Will admitted to probate on 8/11/2010 is **JOHN R. PANZAK, JR.**, Trustee of the **JOHN R. PANZAK LIVING TRUST**. *Petition* states the remaining assets of the Trust estate are distributed solely to John R. Panzak, Jr. It appears John R. Panzak, Jr. has received payments of **\$61,168.76** from this Decedent's estate prior to court order approving such payments in contravention of Probate Code §§ 11603(a), 11640, and 11641.

**Note:** *Petition* requests reimbursement of **\$9.72** for parking expenses and mileage to Court, and **\$36.00** for research by a runner service, which pursuant to Local Rule 7.17(B)(3), (5) and (7) are not reimbursable costs, such that the total cost reimbursement amount should be **\$1,720.14**. Proposed order has been interlineated to reflect costs allowed of **\$1,720.14**.

*~Please see additional page~*

**Beneficiary's Objections to Inventory and Appraisal and Beneficiary's Objections to First and Final Accounting, and Declaration in Support filed by GORDON PANZAK on 9/3/2013 states:**

- John Panzak, Sr. died on 3/12/2010; John Panzak, Jr., became Executor of the estate [on 8/11/2010], and in turn died on 2/15/2013;
- No inventory and appraisal was filed until November of 2012, when the Court ordered it to be done;
- The account filed with the Court was not furnished to Beneficiary Gordon Panzak; no accounting was filed until the one presently before the Court;
- Gordon is a named beneficiary of the estate, and was entitled to copies of the accounting and notice of actions by the Executor; none were given;
- In reviewing the November 2012 documents filed with the Court, the Executor lied by declaring that the only beneficiary of the estate was the **JOHN PANZAK TRUST**; both John R. Panzak, Jr., and Gordon Panzak were to share the personal property of the estate;
- John Panzak, Jr., sold the pick-up truck which is the subject of a separate creditor's claim and action by Charles Panzak;
- The current *First and Final Accounting* shows that John R. Panzak, Jr., **embezzled** [partial emphasis in original] the proceeds from the sale, thereby committing a felony under Penal Code § 484, et seq.
- It is a fair inference that the remaining personal property was also embezzled by John R. Panzak, Jr., since it was not listed;
- **Inventory and appraisal and First and Final Accounting are incomplete** and were presented so with intent to defraud the Court, the Beneficiary, and to cover up the theft of certain property and funds; John Panzak, Sr., died in possession of the following property which is not reflected in either document:
  1. At least one Savings Account;
  2. At least one Checking Account;
  3. At least one Certificate of Deposit;
  4. Antique furniture;
  5. Guns;
  6. A new pick-up truck (the inventory shows the truck is still in the estate, when in fact it was sold and the proceeds were embezzled).
- **First and Final Accounting contains many grievous lies** in the narrative part, as follows:
  1. Paragraph 5 omits the numerous items stated in this objection, and hence is false and fraudulent by omission;
  2. Paragraph 11 states all debts of Decedent have been paid; where is the accounting? What debts? How much? When Paid? The Accounting filed in November 2012 stated all debts of Decedent had been paid as of November 2012 if not sooner, yet the excuse given in Paragraph 26 for the Executor's embezzlement is that the money was needed to pay the Decedent's expenses; if they were paid in November, clearly the last 4 payments to John Panzak, Jr., listed in Schedule D are embezzled funds since all expenses of John Panzak Sr. were paid no later than October 2012; the last payment was made on the same date John Panzak, Jr. lay on his deathbed and is highly questionable;

~Please see additional page~

Beneficiary Gordon Pazak's Objections filed 9/3/2012, continued:

• First and Final Accounting contains many grievous lies, continued:

3. Paragraph 15 states all taxes were paid; there is no accounting of those funds;
  4. Paragraph 17 states John Panzak, Sr. had accounts in interest-bearing accounts when he died; where are the accounts? Paragraph 17 is ambiguous in that "John" could refer to the Executor John Panzak, Jr. as opposed to Decedent; the trust accounts set up should be included in the account and inventory, especially in light of the embezzlement;
  5. Paragraph[s 19 and 20] restate the same lie that has been published by John Panzak Jr. and his lawyers several times in these proceedings [that the beneficiary of the estate is the successor trustee of the **JOHN R. PANZAK LIVING TRUST**]; why do they persist in that lie? Gordon Panzak is a beneficiary of the estate;
  6. In Paragraph 20, Attorney Shekoyan tries to cover up a massive embezzlement by John Panzak, Jr. by creating a series of lies and by blurring the distinction between John Panzak Sr, the Decedent, and John Panzak, Jr., the Executor;
    - (a) The Estate and Trust *[emphasis in original]* are the subjects of litigation on Creditor's Claims that exceed the value of the combined entities; NO *[emphasis in original]* distribution to any beneficiary should have been made while the issue is pending; any such transfer is, per se, done with the intent to defraud Creditors;
    - (b) Attorney Shekoyan refers to "John" as opening a Merrill Lynch Account; again, does he mean John Panzak Sr. or John Panzak Jr.? No Merrill Lynch Account is listed in the inventory or the accounting; In Paragraph 5, Attorney Shekoyan states the Merrill Lynch account was in the estate and set up by John Panzak, Sr., not John Panzak Jr., but neither account is listed;
    - (c) John Panzak, Jr. had a right to set up a probate trust account and pay the Decedent's bills; he did not have a right to embezzle the funds to himself; no accounting has been done for those expenses or of any Estate Trust Account; there was never a petition for distribution from the estate to John Panzak, Jr. or any other person;
    - (d) Per the account filed in November 2012, there were no longer any expenses of John Panzak Sr. to pay; at least the last 4 payments of Schedule D were therefore embezzled;
- Litigation: The Estate was engaged in litigation for over a year; no claim for those attorney fees has been made; the estate would be the entity to pay the fees;
  - The Will of Decedent does not *[emphasis in original]* allow for the hiring of an attorney for litigation;
  - The Trust of the Decedent does not allow for the hiring of an attorney for litigation;
  - The proper procedure would have been for the Estate and/or Trust to file a petition for instructions in regards to the litigation before incurring the expenses;
  - This would have brought the matter to the direct scrutiny of the Court and would have assisted in a rapid conclusion to the litigation by Settlement; this was not done;
  - It is obvious that Shekoyan and Paloutzian conspired to prolong the litigation and to have John Panzak Jr. launder the money to them;
  - On 3 separate occasions, Paloutzian referred to John R. Panzak, Jr. in his personal capacity *[emphasis in original]* as his client, as opposed to John Panzak Jr.'s status as Executor or Trustee; this shows the funds embezzled by John Panzak Jr. went to Paloutzian as fees bypassing the Estate and Court scrutiny;

~Please see additional page~



**Beneficiary Gordon Pazak's Objections filed 9/3/2012, continued:****Litigation, continued:**

- The payments to John Panzak, Jr., listed in Schedule D start with the commencement of litigation; the sum total is close to the amount of attorney fees due Paloutzian;
- No claim or lien for fees due to the litigation is reflected in the documents filed; Shekoyan states they have been paid, yet they are not reflected in those documents; no petition for instructions was filed; no lien for fees was filed; no petition for distribution from the Estate was filed [emphasis in original];
- The money goes to John Panzak Jr. and is laundered to Shekoyan and Paloutzian to avoid Court scrutiny and to defraud Creditors and needlessly prolong litigation;
- Schedule D and Paragraph 20 reflect a preferential payment to a beneficiary in deference to creditors and to avoid scrutiny of the Court and without Court permission;
- The pick-up truck payment listed on Schedule D should in no way be ratified by the Court as the Court would become accessory after the fact to the commission of the felony of embezzlement by John Panzak, Jr., which was done with the connivance of his attorneys Shekoyan and Paloutzian.

**Beneficiary Gordon Panzak prays that the Court:**

1. Reject the Inventory and appraisal;
2. Order that the missing assets be located, inventoried and appraised;
3. Reject the First and Final Accounting;
4. Order all accounts, assets, transactions and supporting documents be produced;
5. Order that the Public Administrator and/or Beneficiary be authorized to audit the accounts of the Estate of John Panzak, Sr., including the documents showing payments of attorney fees to Baker, Manock & Jensen for litigation;
6. Order that the Public Administrator and/or Beneficiary be authorized to examine all financial records of John Panzak, Jr. from 3/12/2010 to present;
7. Order that no fees or costs be authorized to Shekoyan given the false and fraudulent manner in which the accounting and inventory were presented.

**Note:** Proof of Service filed 9/3/2013 by Gordon Panzak shows a copy of the Beneficiary's Objections was served on Attorney James Shekoyan and the Public Administrator on 9/3/2013.

***~Please see additional page~***

**Supplement to Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support filed by GORDON PANZAK on 11/1/2013 states:**

- All prior statements of facts and objections filed in the *Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support* on 9/3/2013 are incorporated herein by reference and made a part of these pleadings [emphasis in original];
- In addition to the previous filed objections, the Petitioner supplements his pleadings as follows (John Panzak, Sr. will be referred to as "Senior: and John Panzak Jr., will be referred to as "Junior"): Noting that none had been filed since March 2012, the Court on the fall of 2012 ordered Junior to file an accounting of the Estate assets and an inventory and appraisal; the hearing was set for 9/7/2012;
- Attorney Shekoyan did not appear, Junior did not appear [emphasis in original]; Sharon Panzak was a stranger to the estate and has no authority by law to appear; a reasonable inference can be drawn that either Attorney Shekoyan or Junior or both share confidential estate information with Sharon Panzak, thereby waiving Attorney/Client Privilege and breaching the Executor's Fiduciary Duty of loyalty to the Estate;
- The Accounting (page 3) stated that all debts of the Decedent had been paid; no dates were given, but the reasonable inference is that they were paid no later than 9/7/2013;
- The documents further state, that the income taxes have been paid, giving rise to an inference that both Attorney Shekoyan and Junior were aware of an approved the last tax returns of Senior; the previous tax returns clearly showed 10 bank accounts owned by Senior which were not shown in the inventory and appraisal or the accounting;
- The document states in Item 19 that "No advance distributions have been made";
- The documents were signed by Attorney Shekoyan and Junior;
- There was no disclosure that Junior was terminally ill and was unable to perform his duties;
- On 1/11/2013, a status hearing was held for a Report of the Personal Representative;
- Again, there was no disclosure that Junior was terminally ill and was unable to perform his duties;
- Language in the report states that Junior "is and has been duly qualified as personal representative of the estate"; again, no notice to the Court of terminal illness, the fact that he was in hospice, or the fact that Sharon Panzak appeared for Junior on 9/7/2012 because Junior could no longer perform his duties;
- The report states on Page 4 that the Estate has only a single asset – the Merrill-Lynch account;
- No notice of the proceedings was given to Gordon Panzak, personally, or as a creditor, or as an attorney for litigant/Creditor, Charles Panzak;
- The Personal Representative of the Estate of Junior, Sharon Panzak, failed to file an account in 60 days after the Executor's death;
- Attorney Shekoyan had the cooperation of his new client, Sharon Panzak, when he filed petitions to take over the Estate of Senior and presumably could have gotten any financial document from the estate of Senior upon request;
- Steven German, CPA, had done Senior's income taxes and was familiar with all of Senior's financial holdings; a simple request by Attorney Shekoyan to Mr. German would have filled in gaps in information.

**~Please see additional page~**

**Supplement to Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support filed by GORDON PANZAK on 11/1/2013, continued:**

- **Breach of Fiduciary Duty by Junior:** Junior has breached various fiduciary duties imposed on him by law and of which he was made aware when he signed the Statement of Duties and Responsibilities, including *[citations omitted]*: (1) failure to establish a segregated Trust Account for the Estate; (2) failure to file petitions for instructions to engage in litigation which is not authorized in the will or trust instrument; (3) failure to use ordinary care and diligence in matters of the estate by not keeping accounts of expenditures; (4) not seek court approval and providing notice for preliminary distribution from the estate; (5) failure to transfer funds he removed from the estate to the trust; (6) secretly transferring money from the estate to himself, when he had acknowledge under penalty of perjury that he was not a beneficiary of the estate and that the trust was the only beneficiary; (7) published documents with the court on 9/7/2012, stating under oath that no advance distributions have been made, when at the time he had taken over 29 such payments for himself; (8) signing documents stating that all expenses of the estate had been paid no later than 9/7/2012 and yet according to Attorney Shekoyan who stated on the record the advance payments to Junior were for "expenses of the estate."
- **Duty of Attorney Shekoyan:** Probate Code § 10953 places a duty of due diligence upon Attorney Shekoyan *[citation to case law omitted]*
- **Conflict of interest:** Attorney Shekoyan represented Junior as Trustee; Junior as Executor; Junior personally in litigation; Junior as deceased executor; Sharon Panzak as Petitioner to become executor; Sharon Panzak as Petitioner to become successor trustee; the office of Public Administrator; his duty of loyalty is to the office of trustee and the office of executor and not personally to the person holding those offices; he had a duty to disclose all records and information to the successors to those two offices, and he failed to do so; one the Court appointed the Public Administrator, Attorney Shekoyan failed to tell the Court or opposing parties of his conflict of interest and told the staff of the Public Administrator and County Counsel to not worry about the case, it was nothing and would go away once the accounting was accepted; Attorney Shekoyan breached his duty as an attorney and his duty of candor; he breached his duties by: (1) representing parties adverse to the trust and estate; (2) failing to properly turn over estate and trust files to the successor trustee and executor; (3) keeping confidential communications secret from the successor trustee and successor executor; (4) telling County Counsel and the Public Administrator to stand down and not diligently do their duties; (5) failure to disclose to: the Probate Court, the Beneficiaries, the Creditors, the Attorneys for Creditors, the successor trustee, the successor executor; (6) failure to disclose that there had been massive embezzlement from the estate by Junior, and affirmatively attempted to cover up the embezzlement and obtain immunity for Junior by (a) not reporting the embezzlement and (b) not providing proper notice of the accounting, (c) affirmatively making false statements on the record, (d) attempting to have the Court sign an Order ratifying the embezzlement to terminate Civil liability, (e) captioning the action as First and Final Accounting thereby attempting to obtain an Order which would extinguish civil liability of Junior; and (f) failing to list all know assets of the estate including accounts which had been embezzled.

**Objector Gordon Panzak prays that the Court:** (1) Order Attorney Shekoyan to produce Senior's last personal income tax return in its entirety; (2) Order Attorney Shekoyan to produce all bank records of Senior's estate and trust accounts; and (3) Order the Personal Representative Sharon Panzak to produce the records of Junior's bank accounts into which stolen money was deposited and show all disbursements of those funds.

**~Please see additional page~**

***Declaration of Gordon Panzak in Support of Supplement to Objections to Inventory and Appraisal; and Objections to First and Final Accounting of John R. Panzak, Jr. attached to his Objections filed on 11/1/2013 states:***

***Gordon Panzak declares that:***

- He is a named beneficiary of the Estate of John R. Panzak;
- He is a creditor of the Estate of John R. Panzak to the extent of **1.5 million** dollars;
- He has personal knowledge of the facts averred to and if called as a witness, under oath in a court of law, could competently testify to the truth of those matters;
- He is an Attorney for Creditor Charles Panzak;
- No notice was given to Gordon Panzak as a Creditor, Beneficiary, or an Attorney of Record for Creditor Charles Panzak, of any advance payments made to John Robert Panzak, Jr., from the Estate of John Robert Panzak, Sr. while creditors' claims were pending;
- Steven German prepared the taxes of John Robert Panzak, Sr., and had readily available all records of the Decedent's financial records;
- The Estate of John Robert Panzak, Sr. consisted primarily of assets easily traceable, i.e., stocks and bank accounts;
- No notice of the pending First and Final Accounting and Inventory and Appraisal was served upon him as a Beneficiary, Creditor, or Attorney for a Creditor/litigant.

**Note:** *Proof of Service* filed 11/1/2013 shows the *Supplement to Beneficiary's Objections to Inventory and Appraisal; and Beneficiary's Objections to First and Final Accounting; and Declaration in Support* were served by mail to Attorney James Shekoyan, County Counsel, and the Public Administrator on 11/1/2013.

***Status Report Regarding Final Distribution filed by Public Administrator on 1/7/2014 states:***

- At the 4/29/2013 hearing, both of the Petitions for Probate filed by Sharon Panzak and Gordon Panzak were denied;
- The Court appointed the Public Administrator as the personal representative;
- James Shekoyan, attorney for John Panzak, Jr. (deceased personal representative), was informed that he would need to prepare a final account;
- Attorney Shekoyan filed a final account and an inventory and appraisal on 7/29/2013, and Gordon Panzak filed objections to both on 9/3/2013;
- Heather Kruthers never received a copy of these objections from Gordon Panzak's attorney until 11:51 a.m. on 1/6/2014;
- Attorney Shekoyan's office provided a copy to Ms. Kruthers last week;
- Attorney Shekoyan is currently out of the office, but is expected to be able to provide a copy of the Decedent's 2009 tax return when he gets back to the office;
- In the meantime, there appears to be no reason why Mr. Shekoyan cannot respond to the issue of missing bank accounts already questioned by Gordon Panzak.

(1) First and Final Account and Report of Administration of Estate by Robert E. Dolan as Executor and Petition for Its Settlement, (2) for Approval of Statutory Compensation to Personal Representative and Attorneys' Fees for Ordinary Services and for (3) Final Distribution

<b>DOD: 07/26/11</b>		<b>ROBERT E. DOLAN</b> , Executor, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: <b>07/26/11 – 08/28/13</b>	<u><b>CONTINUED FROM 12/11/13</b></u>
<b>Cont. from 121113</b>		Accounting - <b>\$340,896.62</b>	1. Notice of Hearing to: a. Kimberly Burrus b. Alexandria Perry c. James Burnham, Jr. d. Alyssa Burnham e. Robert Hayes f. Ashley Halbrook were each sent in "care of" another person. Pursuant to CA Rules of Court 7.51 (a) – notice mailed to a person in care of another person is insufficient. Need Notice of Hearing with proof of direct service to the above persons.
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$310,125.00</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH - <b>\$292,981.04</b> (all cash)	
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>	Executor - <b>\$9,577.93</b> (statutory)	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	Attorney - <b>\$9,577.93</b> (statutory)	
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>	Closing - <b>\$2,500.00</b>	
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Distribution, pursuant to Decedent's Will, is to:</b>	
<input type="checkbox"/>	<b>Letters</b> 03/08/12	Robert E. Dolan, as trustee of the Jack Burrus Trust - <b>\$271,325.18</b>	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>		
			<b>Reviewed by:</b> JF
			<b>Reviewed on:</b> 01/07/14
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 5 – Burrus</b>

**Status Hearing Re: Filing of the First Account and/or Petition for Final Distribution**

<b>DOD: 12/07/11</b>	<p><b>KIRK HAGOPIAN</b>, was appointed as Administrator with full authority and without bond on 07/26/12. Letters of Administration were issued on 08/01/12.</p> <p>Inventory &amp; Appraisal, partial no. 1 filed 05/31/13 - \$80,268.71</p> <p>Inventory &amp; Appraisal, partial no. 2 filed 05/31/13 - \$62,337.78</p> <p>Minute Order from 07/26/12 set this matter for status regarding filing of the Accounting and/or Petition for Final Distribution.</p> <p><b>Petition for Order Compelling Respondents to Account to Administrator; For Order Directing Transfer of Personal Property to Administrator or Decedent's Estate; and for Damages</b> filed by Administrator on 10/09/13.</p> <p><b>Report Regarding Status</b> filed 10/17/13 by attorney Jeffrey Wall states: The Administrator retained Leigh Burnside to represent the estate in a proceeding to recover estate assets that may have been taken by Gaylene Bolanos and possibly others acting in concert with Ms. Bolanos. The Petition under Probate Code § 850 seeks to require Gaylene Bolanos and others to account for various estate assets that were entrusted to Ms. Bolanos that are now unaccounted for. The Petition further requests an Order directed the said parties to transfer any estate assets in their possession to the Administrator. There is an ongoing investigation of the parties being conducted by detectives at the Fresno Police Department.</p>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<b><u>CONTINUED FROM 11/19/13</u></b>
<b>Cont. from 090613, 110113, 111913</b>		1. Need First Account and/or Petition for Final Distribution.
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202 Order</b>		
<b>Aff. Posting Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
	<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 01/07/14</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7A – Smart</b></p>	

**Petition for Order Compelling Respondents to Account to Administrator; for Order Directing Transfer of Personal Property to Administrator of Decedent's Estate; and for Damages [Prob. C. 850]**

<b>DOD: 12/07/11</b>		<p><b>KIRK HAGOPIAN</b>, Administrator, is Petitioner.</p> <p><b>Leroy Combs</b> ("Combs"), <b>Gaylene Bolanos aka Gaylene Weldon</b> ("Bolanos"), <b>Jeffrey Jackson</b> ("Jackson"), and <b>Lowell Weldon</b> ("Weldon") are Respondents.</p> <p><b>Petitioner states:</b></p> <ol style="list-style-type: none"> <li>Cheryl A. Smart ("decedent") died intestate on 12/06/11. At the time of her death, decedent was a widow and had no children. Decedent was survived by several first cousins. Petitioner, a first cousin of decedent, was appointed as Administrator on 07/26/12 and Letters of Administration were issued on 08/12/12.</li> <li>Petitioner alleges that, at her death, decedent was the sole beneficiary of a trust established by her mother, Dolores H. Milano (the "Milano Trust"). Dolores Milano died on 01/04/08. Decedent was named as the sole successor of the Milano Trust; however, Petitioner believes that the decedent did not complete the administration of the Milano Trust and did not accomplish the distribution of the Trust assets to herself as the sole beneficiary before her death on 12/06/11.</li> <li>Following decedent's death, and because she left no immediate family members, Petitioner, one of her cousins, volunteered to assist in the handling of decedent's affairs. At that time, a good friend of Petitioner's, Leroy Combs ("Combs") recommended that Petitioner speak with two members of Petitioner's bible study group, Jeffrey Jackson ("Jackson") and Gaylene Bolanos ("Bolanos"), about the administration of decedent's estate. Combs said that Jackson and Bolanos were well versed in commercial affairs and could help Petitioner with the distribution of decedent's assets as well as the administration of the assets of the Milano Trust. Petitioner had in fact known Bolanos since the late 1990's and Jackson since approximately 2006, and Petitioner liked and trusted them both.</li> </ol> <p style="text-align: right;">Continued on Page 2</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 11/19/13</u></p> <ol style="list-style-type: none"> <li>Need Order.</li> </ol>
<b>Cont. from 111913</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/o		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input type="checkbox"/>	<b>Letters</b>		
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input type="checkbox"/>	<b>Order</b> x		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

4. Petitioner met and spoke to Combs, Bolanos and Jackson in December 2011, shortly after decedent's death, about the decedent's affairs and the Milano Trust. Respondents represented to Petitioner that Bolanos and Jackson had substantial experience administering assets and that they could help Petitioner administer and distribute the assets of decedent's estate and the Milano Trust. Respondents further told Petitioner that he did not need to apply to the Court for assistance or authority, but rather the administrations could be handled informally with Bolanos's and Jackson's assistance and expertise. Petitioner believed Respondents' statements to be true. Petitioner now alleges that Respondents' representations were in fact false and that the Respondents knew the representations were false at the time they were made, and that Respondents made the representations to Petitioner for the purpose of deceiving him.
5. In reasonable reliance on Respondents' representations that they could assist him with the administration of decedent's assets for the benefit of decedent's family members, and based on his personal relationships with them, Petitioner reposed his trust and confidence in Respondents and retained Jackson and Bolanos to assist him with the administration of decedent's assets and the assets of the Milano Trust.
6. In return for their services, Respondents agreed to accept compensation in the amount of fifteen percent (15%) of the value of decedent's assets, including decedent's assets in the Milano Trust.
7. Thereafter, Petitioner provided Respondents with copies of various documents pertaining to decedent's financial affairs, including copies of the Milano Trust instrument, bank statements, annuity statements, life insurance policies, and other documents. Petitioner also met regularly with Respondents to discuss the ongoing status of their efforts to marshal decedent's assets for the benefit of her family members.
8. Petitioner alleges that, without his knowledge or consent, Respondents engaged in a pattern of fraud by which they took possession of decedent's assets and converted same to their own use and benefit, including transferring a portion of decedent's cash assets to Respondent Lowell Weldon. Petitioner alleges, for example, that Respondents prepared a document entitled, "Declaration of The Cheryl A. Smart Trust", and forged decedent's name thereon. By this document, Bolanos became the successor trustee of the purported trust and represented herself to others as having authority to take possession of some of decedent's assets. Petitioner alleges that these representations were false and that Bolanos knew they were false at the time she made them.
9. Petitioner alleges that by their conduct, and without his knowledge, Respondents wrongfully obtained assets that included, but were not limited to, funds in bank accounts, annuity proceeds, and other personal property of decedent. Petitioner alleges that these assets have a value of no less than \$150,000.00.
10. From time to time between January and April 2012, Petitioner requested information from Respondents regarding the status of their efforts to marshal decedent's assets and the assets of the Milano Trust. Each time, Respondents represented that they were working on the matters and making progress. Petitioner did not know, nor did he have reason to suspect, that Respondents were in fact taking personal possession of the assets and converting them for their own use and benefit, including transferring a portion of decedent's cash assets to Respondent Lowell Weldon.
11. In or about April 2012, Petitioner began to suspect something was wrong and that Respondents were mismanaging decedent's assets and the assets of the Milano Trust. Through inquiries, Petitioner determined that Respondents had taken personal possession of a substantial amount of Decedent's cash assets. Petitioner confronted Respondents about his suspicions, but they refused to provide any explanation, refused to return any documentation, refused to return any of Decedent's assets in their possession, and refused to provide an accounting. When Petitioner confronted Respondent Combs, he accused Petitioner of not being a "true believer" and refused to provide Petitioner with any information.

Continued on Page 3



12. Petitioner alleges that as a result of Respondents' wrongful conduct, Decedent's Estate, and Decedent's intestate heirs, have suffered damages in an amount no less than \$150,000.00.
13. Petitioner thereafter filed a petition to administer decedent's estate and to be appointed personal representative, which petition was granted in July 2012. Petitioner likewise filed a petition to be appointed successor co-trustee of the Milano Trust. (*In the matter of the Dolores H. Milano Trust created August 15, 1996*, Fresno Superior Court case number 12CEPR01014.) The Court granted the petition and appointed Petitioner and his, Gloria Hagopian, as successor co-trustees of the Milano Trust by Order dated 03/05/13.
14. Petitioner alleges that Respondents are in possession, custody and control of assets belonging to decedent's estate, or assets in which decedent's estate has a beneficial interest, which assets should be accounted for and turned over to Petitioner in his capacity as Administrator of decedent's estate. Petitioner further alleges that Respondents obtained possession of these assets through fraudulent means, that Respondents knew their possession was wrongful, and that they engaged in such conduct for the purpose of depriving decedent's heirs of substantial assets in which they have a beneficial interest. Petitioner alleges that he, in his capacity as Administrator, is entitled to an award of punitive damages against Respondents.

**Petitioner prays that the Court issue an Order as follows:**

1. Compelling Respondents Combs, Bolanos, Jackson and Does 1-25, and each of them, to present an account of their administration of all of Decedent's assets that came into their possession;
2. Directing all Respondents to transfer any and all assets belonging to decedent, or in which decedent had a beneficial interest, to Petitioner in his capacity as Administrator of Decedent's Estate pursuant to Probate Code § 850 et al;
3. For general damages against Respondents Combs, Bolanos, Jackson and Does 1-25;
4. For punitive damages, to the extent permitted by law, against Respondents Combs, Bolanos, Jackson and Does 1-25;
5. For prejudgment interest;
6. For attorney's fees and costs, as permitted by law.

Age: 85 years		<p><b>JOANNE SANOIAN</b>, petitioner was Court appointed to represent the Conservatee on 2/25/13.</p> <p><b>STANLEY GREENBERG</b> was appointed temporary Conservator of the Person on 2/20/13. Letters of temporary conservatorship expire on 10/30/2014.</p> <p>Petitioner requests fees in connection with the representation of the Conservatee for the Stanley Greenberg's petition to appoint a conservator.</p> <p>Petitioner <b>asks that she be paid</b> from <b>YVETTE C. GREENBERG</b> for <b>42.40 attorney hours @ \$300.00 per hour and 3.25 paralegal hours @ \$100 - \$125 per hour for a total of \$13,151.25.</b></p> <p><b>Costs of \$435.00 (filing fee).</b></p> <p>Services are itemized by date and include review of documents, visits with client, attendance at mediation and court appearances.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> Conservatorship is of the person only. Order appointing attorney Sanoian states her attorney fees will be paid from the conservatorship estate. Petition ask that conservatee Yvette Greenberg be ordered to pay the attorney fees.</p> <ol style="list-style-type: none"> <li>Order submitted includes another name other than the conservatee's and orders David Camenson as Trustee of the Joyce Cannon Family Trust to pay the fees. Need order that grants what is prayed for in the petition.</li> <li>Fees requested total \$13,100.00 and not \$13,151.25 as requested. (42.42 hours @ \$300.00 = \$12,700; 2.20 hours @ \$125.00 = \$275.00 and 1.05 hours @ \$100.00 = \$105.00)</li> </ol>
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 1/7/14
Updates:
Recommendation:
File 9 – Greenberg

**(1) Petition for Settlement on Waiver of Account and (2) Petition for Final Distribution and for (3) Allowance of Compensation for Ordinary Services**

<b>DOD: 3/15/2013</b>		<b>JOHNNY PATRICK WEST</b> , Executor, is petitioner.  Accounting is waived.  I & A - <b>\$296,081.13</b> POH - <b>\$296,274.97</b>  Executor - <b>waives</b>  Attorney - <b>\$5,982.43</b> (less than statutory)  <b>Distribution, pursuant to Decedent's Will, is to:</b>  Johnny Patrick West – Real property, stocks and cash.	<b>NEEDS/PROBLEMS/COMMENTS:</b>				
<b>Cont. from</b>							
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>						
<input checked="" type="checkbox"/>	<b>Verified</b>						
<input checked="" type="checkbox"/>	<b>Inventory</b>						
<input checked="" type="checkbox"/>	<b>PTC</b>						
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>						
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>						
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> W/						
<b>Aff.Pub.</b>							
<b>Sp.Ntc.</b>							
<b>Pers.Serv.</b>							
<b>Conf. Screen</b>							
<input checked="" type="checkbox"/>	<b>Letters</b> 6/18/13						
<b>Duties/Supp</b>							
<b>Objections</b>							
<b>Video Receipt</b>							
<b>CI Report</b>							
<input checked="" type="checkbox"/>	<b>9202</b>						
<input checked="" type="checkbox"/>	<b>Order</b>						
<b>Aff. Posting</b>							
<b>Status Rpt</b>							
<b>UCCJEA</b>							
<b>Citation</b>							
<input checked="" type="checkbox"/>	<b>FTB Notice</b>						
<table border="1"> <tr> <td><b>Reviewed by: KT</b></td> </tr> <tr> <td><b>Reviewed on: 1/7/14</b></td> </tr> <tr> <td><b>Updates:</b></td> </tr> <tr> <td><b>Recommendation: SUBMITTED</b></td> </tr> <tr> <td><b>File 10 – McInturff</b></td> </tr> </table>			<b>Reviewed by: KT</b>	<b>Reviewed on: 1/7/14</b>	<b>Updates:</b>	<b>Recommendation: SUBMITTED</b>	<b>File 10 – McInturff</b>
<b>Reviewed by: KT</b>							
<b>Reviewed on: 1/7/14</b>							
<b>Updates:</b>							
<b>Recommendation: SUBMITTED</b>							
<b>File 10 – McInturff</b>							

## Report of Sale and Petition for Order Confirming Sale of Real Property

<b>DOD: 5/12/13</b>			<b>ROSANNA TOROSIAN</b> , is		<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. #4a of the petition does not include the manner of vesting title for the buyer.  2. #9 of the order does not include the manner of vesting title.  <b>Note:</b> If the petition is granted, a status hearing will be set as follows:  <ul style="list-style-type: none"> <li><b>Friday, February 7, 2014</b> at 9:00 a.m. in Department 303, for the filing of the additional bond.</li> </ul> Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
			Administrator/petitioner.		
			<b>Sale price</b> - <b>\$94,500.00</b>		
			<b>Overbid</b> - <b>99,725.00</b>		
<b>Cont. from</b>			<b>Appraisal</b> - <b>\$95,000.00</b>		
	<b>Aff.Sub.Wit.</b>		<b>Property</b> - 4682 E.		
✓	<b>Verified</b>		Princeton, Fresno		
	<b>Inventory</b>		<b>Publication</b> - Business Journal		
	<b>PTC</b>		<b>Buyer</b> - Miguel Rodriguez		
	<b>Not.Cred.</b>		<b>Broker</b> - <b>\$5,670.00</b> (6% - payable to London Properties)		
✓	<b>Notice of Hrg</b>		Current bond is \$285,000.00. Petition requests bond be increased to \$385,000.00.		
✓	<b>Aff.Mail</b>	W/			
✓	<b>Aff.Pub.</b>				
✓	<b>Sp.Ntc.</b>	W/			
	<b>Pers.Serv.</b>				
	<b>Conf. Screen</b>				
	<b>Letters</b>				
	<b>Duties/Supp</b>				
	<b>Objections</b>				
	<b>Video Receipt</b>				
	<b>CI Report</b>				
	<b>9202</b>				
✓	<b>Order</b>				
	<b>Aff. Posting</b>				
	<b>Status Rpt</b>				
	<b>UCCJEA</b>				
	<b>Citation</b>				
	<b>FTB Notice</b>				
					<b>Reviewed by: KT</b>
					<b>Reviewed on: 1/7/14</b>
					<b>Updates:</b>
					<b>Recommendation:</b>
					<b>File 11 – Otrakjian</b>

**(1) First and Final Account and Report of Conservator; and (2) Petition for Allowance of Compensation to Conservator and his Attorney**

<b>DOD: 9/2/2013</b>		<b>PUBLIC GUARDIAN</b> , Conservator, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 7/3/13 – 9/2/13	
		Accounting - <b>\$2,565.21</b>	
<b>Cont. from</b>		Beginning POH - <b>\$0</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Ending POH - <b>\$1,142.21</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Subsequent account period: 9/3/13 – 10/9/13	
<input type="checkbox"/>	<b>Inventory</b>	Accounting - <b>\$2,422.21</b>	
<input type="checkbox"/>	<b>PTC</b>	Beginning POH - <b>\$1,142.21</b>	
<input type="checkbox"/>	<b>Not.Cred.</b>	Ending POH - <b>\$ 153.17</b>	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Conservator - <b>\$3,331.28</b>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	(28.13 Deputy hours @ \$96/hr and 8.30 Staff hours @ \$76/hr)	
<input type="checkbox"/>	<b>Aff.Pub.</b>	Attorney - <b>\$1,250.00</b> (per Local Rule)	
<input type="checkbox"/>	<b>Sp.Ntc.</b>	Bond fee - <b>\$25.00</b> (o.k.)	
<input type="checkbox"/>	<b>Pers.Serv.</b>	Petitioner request that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
<input type="checkbox"/>	<b>Conf. Screen</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/>	<b>Letters</b>	5. Approving, allowing and settling the First and Final account.	<b>Reviewed by: KT</b>
<input type="checkbox"/>	<b>Duties/Supp</b>	6. Authorizing the conservator and attorney fees and commissions	<b>Reviewed on: 1/7/14</b>
<input type="checkbox"/>	<b>Objections</b>	7. Payment of the bond fee	<b>Updates:</b>
<input type="checkbox"/>	<b>Video Receipt</b>	8. Authorize petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions	<b>Recommendation:</b>
<input type="checkbox"/>	<b>CI Report</b>		<b>File 12 – Ferraro</b>
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>DOD: 07/01/2013</b>		<p><b>RICHARD ESQUEDA</b>, brother is petitioner and requests appointment as Administrator without bond.</p> <p>All heirs waive bond and nominate petitioner to administer estate.</p> <p>Full IAEA – o.k.</p> <p>Decedent died intestate</p> <p>Residence: Fresno Publication: The Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$1,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$170,000.00</td> </tr> <tr> <td><b>Total:</b></td> <td>-</td> <td><b>\$171,000.00</b></td> </tr> </table> <p>Probate Referee: Rick Smith</p>	Personal property	-	\$1,000.00	Real property	-	\$170,000.00	<b>Total:</b>	-	<b>\$171,000.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Note:</b> If the petition is granted status hearings will be set as follows:</p> <ul style="list-style-type: none"> <li>• <b>Friday, 05/09/2014 at 9:00a.m. in Dept. 303</b> for the filing of the inventory and appraisal <u>and</u></li> <li>• <b>Friday, 03/13/2015 at 9:00a.m. in Dept. 303</b> for the filing of the first account and final distribution.</li> </ul> <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.</p>
Personal property	-		\$1,000.00									
Real property	-		\$170,000.00									
<b>Total:</b>	-		<b>\$171,000.00</b>									
<b>Cont. from</b>												
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>											
<input checked="" type="checkbox"/>	<b>Verified</b>											
<input type="checkbox"/>	<b>Inventory</b>											
<input type="checkbox"/>	<b>PTC</b>											
<input type="checkbox"/>	<b>Not.Cred.</b>											
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>											
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>		w/o									
<input checked="" type="checkbox"/>	<b>Aff.Pub.</b>											
<input type="checkbox"/>	<b>Sp.Ntc.</b>											
<input type="checkbox"/>	<b>Pers.Serv.</b>											
<input type="checkbox"/>	<b>Conf. Screen</b>											
<input checked="" type="checkbox"/>	<b>Letters</b>											
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>											
<input type="checkbox"/>	<b>Objections</b>											
<input type="checkbox"/>	<b>Video Receipt</b>											
<input type="checkbox"/>	<b>CI Report</b>											
<input type="checkbox"/>	<b>9202</b>											
<input checked="" type="checkbox"/>	<b>Order</b>											
<input type="checkbox"/>	<b>Aff. Posting</b>											
<input type="checkbox"/>	<b>Status Rpt</b>											
<input type="checkbox"/>	<b>UCCJEA</b>											
<input type="checkbox"/>	<b>Citation</b>											
<input type="checkbox"/>	<b>FTB Notice</b>											

<b>Reviewed by:</b> LV
<b>Reviewed on:</b> 01/07/2014
<b>Updates:</b>
<b>Recommendation:</b> Submitted
<b>File 13 – Esqueda</b>

**Probate Status Hearing Re: Status of Administration; Filing of an Account or Petition for Final Distribution**

<b>DOD: 02/26/01</b>	<p><b>ANNA N. FOSTER</b>, daughter/Administrator with limited IAEA with bond of \$100,000, is petitioner. Letters issued 5/11/2007.</p> <p><b>Background:</b></p> <ul style="list-style-type: none"> <li>Sole asset of estate is real property located in Fresno. The value of the real property at the date of death was \$65,000.00.</li> <li>Decedent died intestate, survived by five children who are now living, and the living issue of two children who are now deceased.</li> <li>Since decedent's death, Petitioner has advanced funds for property taxes and homeowner's insurance.</li> <li>Department of Health Services filed a creditor's claim for \$17,181.64, which was allowed by Petitioner on 10/30/07.</li> </ul> <p>There is no cash in estate to pay creditor's claim or to reimburse Petitioner for advanced funds.</p> <p><b>Order Confirming Sale of Real Property</b> was entered 03/05/13.</p> <p><b>Status Report filed 08/22/13</b> states: The sole asset of the estate was sold for \$51,000.00. Prior to escrow closing, it was discovered that a \$12,000.00 Deed of Trust was recorded on the property in 1981. The Administrator was unable to locate the holders of the Deed of Trust. In accordance with Probate Code § 10362, Administrator sought and obtained an Ex Parte order authorizing the sale of the Property free and clear of the Deed of Trust and requiring the net proceeds of the sale be impounded with the Court. The Property sustained significant damage when it was vacated for the final walk through. The Buyers wrote a counter-offer at a reduced price of \$45,000.00, which the Administrator rejected and the sale went through for \$51,000.00. The net proceeds of the sale have been impounded with the Court pending resolution of the Deed of Trust issue. Administrator filed a Petition to Determine Interest in Real Property to ascertain who is entitled to the net proceeds of the sale that is set for hearing on 09/30/13. Administrator also obtained an order authorizing notice by publication. Administrator's attorney's office has received numerous phone calls regarding the petition. To date, no one has claimed to be the beneficiary of the Deed of Trust. Upon resolution of the 850 Petition, Administrator will prepare and file her First and Final Account and take the requisite steps to close the estate.</p> <p style="text-align: right;">Continued on Page 2</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p style="text-align: center;"><b>OFF CALENDAR</b>  <b>Final Account and</b>  <b>Petition for Distribution</b>  <b>filed 12/30/13 and set</b>  <b>for hearing on 02/03/14</b></p>
<b>Cont. from 011813, 032213, 062113, 082313, 103013</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		
<b>Reviewed by:</b> JF		
<b>Reviewed on:</b> 01/07/14		
<b>Updates:</b>		
<b>Recommendation:</b>		
<b>File 17 - Foster</b>		

Atty Kruthers, Heather H., of County Counsel's Office (for Public Administrator, Successor Trustee)

## Status Hearing

<b>DOD: 3/12/2010</b>	<p><b>JOHN R. PANZAK, JR.</b>, son, served as Trustee of the <b>JOHN ROBERT PANZAK LIVING TRUST</b> dated <b>11/27/2000</b> since the Decedent's death in March 2010.</p> <p>Beneficiaries of the Decedent's Will are John R. Panzak, Jr., Gordon Panzak, and the <b>JOHN ROBERT PANZAK LIVING TRUST</b>; beneficiaries of the <b>JOHN ROBERT PANZAK LIVING TRUST</b> are John R. Panzak, Jr., and Gordon Panzak.</p> <p><b>Petition for Appointment of Successor Trustee</b> was filed 3/11/2013 by <b>SHARON PANZAK</b>, spouse, stating the Successor Trustee, <b>JOHN R. PANZAK, JR.</b>, died on 2/15/2013, and requesting she be appointed successor trustee.</p> <p><b>Objections to and Opposition to Sharon Panzak's Petition for Appointment of Successor Trustee</b> was filed 4/24/2013 by <b>GORDON PANZAK</b>, claiming the position of successor trustee vested in him no later than 3/18/2013 as the second named successor trustee of the Trust.</p> <p><b>Minute Order dated 4/29/2013</b> from the hearing on Sharon Panzak's petition for appointment of successor trustee states: "The petition is denied as to Sharon Panzak and the Court appoints the <b>PUBLIC ADMINISTRATOR</b> as successor trustee. Matter is set on 7/8/2013 for Status Hearing."</p> <p><b>Order Appointing Public Administrator as Successor Trustee</b> was filed 5/22/2013.</p> <p><b>Minute Orders dated 7/8/2013, 8/5/2013, 10/7/2013, and 11/6/2013</b> state only continuation dates of the Status Hearing, ending with the 1/8/2014 continuance.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u><b>Continued from 11/6/2013.</b></u> Minute Order states Mr. Paloutzian is appearing specially for Attorney James Shekoyan.</p>
<b>Cont. from 070813, 080513, 100713, 110613</b>		
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
<b>Inventory</b>		
<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>		
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>		
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>		
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>		

<b>Reviewed by:</b> LEG
<b>Reviewed on:</b> 1/7/14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 18 – Panzak</b>



DOD: 10-7-12	JOAN ST. LOUIS, Spouse, filed Petition for Assumption of Law Practice of David St. Louis on 9-6-13.	NEEDS/PROBLEMS/ COMMENTS:
Cont. from 111313, 112013	<b>Background: Mrs. St. Louis' petition requested:</b>	
Aff.Sub.Wit.	<ol style="list-style-type: none"> <li>1) That the Court assume jurisdiction over the law practice of David J. St. Louis and appoint attorney <b>PAUL T. CHAMBERS</b> to represent and assist the Court in assuming jurisdiction;</li> <li>2) Allow Mr. Chambers to appoint himself as receiver and take possession and control of any and all bank accounts related to Mr. St. Louis' law practice, including the <b>attorney-client trust account which contained \$54,502.09 at 3-31-13</b>;</li> <li>3) Coordinate with Allison St. Louis, former legal secretary, to determine the clients entitled to funds and the amounts each is owed;</li> <li>4) Upon determining the recipients and the amounts owed, that Mr. Chambers be allowed to issue checks to the recipients without further court order;</li> <li>5) Specifically, that Mr. Chambers be allowed, without further Court order, to issue checks from a certain estate account (<b>John K. Shirin Estate</b>) to those recipients entitled thereto; and</li> <li>6) Upon completion, provided accounting.</li> </ol>	Continued from 11/20/13. Minute order states Mr. Cram is appearing via CourtCall. Mr. Roberts informs the Court that the amount in the trust is insufficient to pay the claims. The Court directs Mr. Roberts to contact the State Bar.
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		<b>Non-Opposition to Petition was filed 9-30-13 by the State Bar of California.</b>
9202	<b>A Creditor's Claim and Request for Special Notice</b> was filed 9-30-13 by Attorney J. Patrick Sullivan, who represents Walter Wentz, Creditor.	
Order	<b>Limited Opposition to Petition</b> was filed 10-9-13 by <b>BIANCA SORIA</b> . Ms. Soria states she was a client of Mr. St. Louis, who was wired <b>\$65,000.00</b> in connection with a settlement. Ms. Soria requested that as a condition to granting the petition, that the Court direct Mr. Chambers to distribute the funds to her, or to post appropriate bond.	
Aff. Posting	<b>At hearing on 10-16-13, the Court granted the petition with additional orders and set this status hearing. <u>See Page 2 for specifics.</u></b>	
Status Rpt	<b>Subsequent to the hearing, both attorneys David Roberts and Donald Cram submitted competing proposed orders.</b>	
UCCJEA	<b>Therefore, the Court will address the competing proposed orders at this status hearing.</b>	
Citation	<b><u>SEE ADDITIONAL PAGES</u></b>	
FTB Notice		

**Minute Order 10-16-13:** Mr. Cram is appearing via CourtCall on behalf of Bianca Soria. The Court accepts Mr. Roberts representation that Attorney Timothy Magill has been given notice. The Court finds that Patrick James' client has been properly served. The Court will allow the interlination under 9764. The Court grants the petition and waives bond. The Court orders that the \$41,155.89 be paid within 30 days. The Court notes that there are no funds to pay Attorney Chambers and he is acting in pro bono. Matter set for Status Hearing on 11/13/13. If everything is completed by 11/13/13, no appearances will be necessary. Set on 11/13/13 at 9am in Dept 303 for Status Hearing.

Additional hearing dates 3/6/14 at 9am Dept 303 for Status Re Accounting;  
Petition is granted; Order to be signed ex parte.

**Attorney David A. Roberts submitted a proposed Order that contains orders as follows:**

1. Granting the petition that the Court assume jurisdiction over the law practice, including, but not limited to, dispersing [sic] funds held in the attorney-client trust account;
2. Appointing Paul T. Chambers to represent and assist the Court in assuming jurisdiction over the law practice without bond and shall receive no compensation;
3. That Mr. Chambers coordinate with Allison St. Louis to determine the clients entitled to files, documentation, and/or funds and the amounts each is owed;
4. That the amount that Mr. Chambers finds due to Ms. Soria shall be paid within 30 days from the entry of this order without further Court order;
5. That Mr. Chambers be allowed to appoint himself receiver and take possession of the various accounts and have signature power over such accounts, including that certain account fbo John K. Shirin or his heirs;
6. That after determining the recipients of the files, documents, and money, and the amount thereof, that Mr. Chambers is given the authority to disburse such without further Court order;
7. That Mr. Chambers is authorized without further Court order to issue checks from the John K. Shirin account to those recipients entitled thereto;
8. That upon completing the foregoing tasks, Mr. Chambers provide an accounting, upon approval of which he shall be discharged; and
9. That Mr. Chambers inform the Court of any other action taken as the Court's representative;
10. Setting hearing for approval of the final account on 3-6-14.

**Attorney Donald H. Cram submitted an Alternate proposed Order that includes, in addition to the above orders, that Mr. Chambers shall disburse no less than \$41,155.89 to Ms. Soria within 30 days without further Court order.**

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 3		<b>TEMPORARY EXPIRES 01/08/2014</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>MICHELLE M. BRADFORD</b> , Maternal Aunt, is Petitioner.		1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with the a copy of the Petition for Appointment of Guardian or consent and waiver of notice for:	
Cont. from		Father: Anthony Jackson (Deceased) Mother: Cynthia Watkins (Deceased)		<ul style="list-style-type: none"> <li>Paternal Grandfather (Unknown) – Unless the Court dispenses with notice</li> </ul>	
	Aff.Sub.Wit.			<b>Note:</b> Declaration of Due Diligence filed on 12/19/2013 states unable to locate someone who is unknown.	
✓	Verified			<ul style="list-style-type: none"> <li>Paternal Grandmother (Unknown) – Unless the Court dispenses with notice</li> </ul>	
	Inventory	Paternal Grandfather: Unknown, Declaration of Due Diligence filed 12/19/2013		<b>Note:</b> Declaration of Due Diligence filed on 12/19/2013 states unable to locate someone who is unknown.	
	PTC	Paternal Grandmother: Unknown, Declaration of Due Diligence filed on 12/19/2013		<ul style="list-style-type: none"> <li>Paternal Grandmother (Unknown) – Unless the Court dispenses with notice</li> </ul>	
	Not.Cred.			<b>Note:</b> Declaration of Due Diligence filed on 12/19/2013 states unable to locate someone who is unknown.	
✓	Notice of Hrg				
✓	Aff.Mail	w/	Maternal Grandfather: Norman Watkins, served by mail on 12/03/2013		
	Aff.Pub.		Maternal Grandmother: Veronica McDaniels, served by mail on 12/03/2013		
	Sp.Ntc.				
	Pers.Serv.	n/a			
✓	Conf. Screen		Siblings: Alveon Moultrie- served by mail on 12/03/2013, Aniyah Moultrie		
✓	Letters				
✓	Duties/Supp		<b>Petitioner states</b> guardianship is necessary to obtain the minor's WIC vouchers, medical card and food stamps, and enroll her in preschool. The minor also needs to see a psychologist to help her with the death of her mother, who was shot, while she was present, by her father. The minor has been with Petitioner since 9-13-13.		
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order		<b>Court Investigator Jennifer Young's report filed 12/20/2013.</b>		
	Aff. Posting			Reviewed by: LV	
	Status Rpt			Reviewed on: 01/07/2014	
✓	UCCJEA			Updates:	
	Citation			Recommendation:	
	FTB Notice			File 20 – Jackson	

## and Melina Alazay Alcocer (GUARD/P)

Atty Negrette, J. Jesus Alcocer (Pro Per – Paternal Grandfather – Petitioner)

Atty Alcocer, Teresita Granados (Pro Per – Paternal Grandmother – Petitioner)

## Petition for Appointment of Guardian of the Person (Prob. C. 1510)

<b>Alexander, age 9</b>	<b>TEMPORARY DENIED on 11/18/2013</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Antonio Jr., age 10</b>			
<b>Melina, age 8</b>			
<b>Cont. from</b>			
<b>Aff.Sub.Wit.</b>			
✓ <b>Verified</b>	Father: <b>ANTONIO ALCOCER</b> , Court dispensed with notice pursuant to minute order of 11/18/2013		1. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> <li>Jasmin Arreola (Mother)</li> </ul>
<b>Inventory</b>	Mother: <b>JASMIN ARREOLA</b>		
<b>PTC</b>			
<b>Not.Cred.</b>			2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with the a copy of the Petition for Appointment of Guardian or consent and waiver of notice for: <ul style="list-style-type: none"> <li>Maternal Grandfather (Unknown) – Unless the Court dispenses with notice</li> </ul>
✓ <b>Notice of Hrg</b>	Maternal Grandparents: Unknown, Declaration of Due Diligence filed 12/30/2013		
✓ <b>Aff.Mail</b>	w/		
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
<b>Pers.Serv.</b>	x		<b>Note:</b> Declaration of Due Diligence filed on 12/30/2013 with an attachment from Jasmin Arreola which states her mother's name is Mariana Arreola Rivera, she passed away when she was five years old. She states she was not claimed by her father and does not know who he is. <ul style="list-style-type: none"> <li>Maternal Grandmother (Unknown) – Unless the Court dispenses with notice</li> </ul>
<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>	Petitioners request the Court excuse notice to the parents because the father is nowhere to be found and the mother is in Mexico and is willing to sign the guardianship.		<b>Note:</b> Declaration of Due Diligence filed on 12/30/2013 with an attachment from Jasmin Arreola which states her mother's name is Mariana Arreola Rivera, she passed away when she was five years old. She states she was not claimed by her father and does not know who he is.
<b>Aff. Posting</b>			<b>Reviewed by:</b> LV
<b>Status Rpt</b>			<b>Reviewed on:</b> 01/07/2014
<b>UCCJEA</b>			<b>Updates:</b>
<b>Citation</b>			<b>Recommendation:</b>
<b>FTB Notice</b>			<b>File 21 – Alcocer</b>

Please see additional page

**21** (additional page) **Alexander Alcocer, Antonio Alcocer, Jr., Case No. 13CEPR00965  
and Melina Alazay Alcocer (GUARD/P)**

**Petitioner filed a document entitled “Mother’s Permission for Guardianship” on 11/15/2013:**

The attached document is in Spanish with an English translation attached. The translation states the mother consents that the minors travel with their grandparents (petitioners) and states she does not have any problem with the children being in their care.

Additional documentation attached appears to be copies of the mother's federal identification card from Mexico.

**Court Investigator Dina Calvillo’s report filed 12/20/2013.**

Age: 4		<b>NO TEMPORARY REQUESTED</b>		<b>NEEDS/PROBLEMS/COMMENTS:</b>	
		<b>AUGREA ALCARAZ VARGAS</b> , paternal grandmother, is petitioner.		1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with the a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:	
Cont. from		Father: <b>LUIS ALBERT GOMEZ</b> , consents and waives notice		<ul style="list-style-type: none"> <li>Javier Gomez (Paternal Grandfather)</li> </ul>	
	Aff.Sub.Wit.			<b>Note:</b> proof of service filed 12/02/2013 does not provide date or time Javier Gomez was served.	
✓	Verified	Mother: <b>ERICA ANOULACK</b> , consents and waives notice		<ul style="list-style-type: none"> <li>Maternal Grandmother (Unknown)</li> </ul>	
	Inventory			2. Need UCCJEA.	
	PTC				
	Not.Cred.	Paternal Grandfather: Javier Gomez, personally served			
✓	Notice of Hrg				
	Aff.Mail	x	Maternal Grandfather: Deceased		
	Aff.Pub.		Maternal Grandmother: Unknown		
	Sp.Ntc.		<b>Petitioner states:</b> the minor's father wants the petitioner to be the guardian because he is unable to look after the child and the mother is nowhere to be found.		
✓	Pers.Serv.				
✓	Conf. Screen		<b>Court Investigator Samantha D. Henson's</b> report filed 12/19/2013.		
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA	x			
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 01/07/2014	
				Updates:	
				Recommendation:	
				File 22 – Gomez	

**Petition for Appointment of Probate Conservator of the Person and Estate (Prob. C.  
1820, 1821, 2680-2682)**

<b>Age: 84</b>		<b><u>TEMPORARY DENIED 11/18/2013</u></b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		<p><b>SHELIA STEARNS</b>, daughter, is petitioner and requests appointment as Conservator of the Person, with medical consent, dementia powers, to administer dementia medications and for placement in a secured perimeter facility. Petitioner also requests appointment as Conservator of the Estate with bond fixed at \$50,000.00 and \$425,000.00 to be held in a blocked account.</p> <p><b>Declaration of Agustin Rubio, M.D.,</b></p> <p><b>Estimated value of estate:</b>            Personal property: \$ 475,000.00            Annual income: \$ 10,000.00            Cost of recovery: \$ 48,500.00            Total bond: \$ 533,500.00</p> <p><b>Petitioner states:</b> proposed conservatee is unable to take care of her needs for food, clothing and shelter. She requires care on a daily basis and has had police and adult protective service visit her on several occasions, each of which has encouraged the appointment of a conservatorship, which the proposed conservatee has been uncooperative. The proposed conservatee has been diagnosed with symptoms of dementia and Alzheimer's but refuses to cooperate in the care or treatment of her condition. Without assistance of a conservator, she runs the risk of serious harm to her person.</p> <p align="center"><b><u>Please see additional page</u></b></p>	<p><b>Minute Order (Judge Snauffer) of 12/19/2013: The Court orders counsel to meet and confer regarding the scope of a proposed conservatorship order. Counsel to take into consideration that the proposed conservatee's nephews may be available to supervise.</b></p> <p><b>Court Investigator Advised Rights on 12/06/2013.</b></p> <p>1. Petition requests powers under Probate Code §2590 however it does not include attachment 1 (d) stating what 2590 powers are requested and why they are needed. Local Rule 7.15.2 states it is the policy of the court to grant a guardian or conservator only those independent powers necessary in each case to administer the estate. A request for all powers described in Probate Code § 2591 will not be granted by the court. Each independent power requested must be justified by, and narrowly tailored to the specific circumstances of that case. Any powers so granted must be specified in the order and in the Letters of Guardianship or Conservatorship.</p> <p align="center"><b><u>Please see additional page</u></b></p>
<b>Cont. from 121913</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input checked="" type="checkbox"/>	<b>Aff.Mail</b> w/		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input type="checkbox"/>	<b>Pers.Serv.</b>		
<input checked="" type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input checked="" type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b> x		
<input type="checkbox"/>	<b>FTB Notice</b>		
		<b>Reviewed by: LV</b>	
		<b>Reviewed on: 01/07/2014</b>	
		<b>Updates:</b>	
		<b>Recommendation:</b>	
		<b>File 23 – Cook</b>	

**Court Investigator Jennifer Young's report filed 12/12/2013.**

**Needs/Problems/Comments** cont.

2. Capacity Declaration does not support placement in a secured locked facility as it is stated that the proposed conservatee has capacity to give informed consent to this placement.
3. Capacity Declaration states that the proposed conservatee needs or would benefit from the psychotropic medication Aricept however does not address whether the proposed conservatee has the capacity to administer the medication.
4. Need Video Receipt for conservator pursuant to Local Rule 7.15.8(A).
5. Need Citation.
6. Need proof of personal service of the Notice of Hearing and a copy of the Petition on the proposed conservatee.



**24A Brandon Dixon & Tamar'j Dixon (GUARD/P)**

Case No. 13CEPR01081

Atty Boyce, Dolores Diane (Pro Per – Competing Paternal Grandmother – Petitioner)

Atty Johnson, Susan H. (Pro Per – Maternal Grandmother – Petitioner)

Atty Dixon, Brandon (Pro Per – Father – Objector)

**Petition for Appointment of Temporary Guardianship Person (Prob. C. 2250)**

<b>Brandon, 7</b> <b>DOB: 01/16/06</b>		<u><b>GENERAL HEARING 2-11-14</b></u>  <b>SUSAN H. JOHNSON</b> , Maternal Grandmother, is Petitioner.  Father: <b>BRANDON DIXON</b> - Personally served 12-30-13 - Objection filed 12-31-13  Mother: <b>TAMERA HARRIS</b> (Deceased)  Paternal Grandfather: JAMES DIXON Paternal Grandmother: DOLORES DIANE BOYCE  Maternal Grandfather: RONALD HARRIS  <b>Petitioner states</b> that the children have lived in her home since birth and that she has always cared for them. She states that they have spent some time with their other grandma (competing petitioner, Dolores Boyce), such as going to the movies occasionally, but no real quality time. Petitioner is very concerned about the children, due to them recently losing their mother. Petitioner states that soon after the mother's death, the Dolores picked up the children and have not brought them back to stay.  <b>Brandon Dixon, Father, filed an Objection on 12-31-13</b> that states he is not giving up his rights. He wants to raise his children. He has been in their lives since they were born. He is the only father they have known. He loves them and they love him.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
<b>Tamar'j, 3</b> <b>DOB: 07/28/10</b>			
<b>Cont. from</b>			
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input type="checkbox"/>	<b>Inventory</b>		
<input type="checkbox"/>	<b>PTC</b>		
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>		
<input type="checkbox"/>	<b>Aff.Mail</b>		
<input type="checkbox"/>	<b>Aff.Pub.</b>		
<input type="checkbox"/>	<b>Sp.Ntc.</b>		
<input checked="" type="checkbox"/>	<b>Pers.Serv.</b>	w/	
<input type="checkbox"/>	<b>Conf. Screen</b>		
<input checked="" type="checkbox"/>	<b>Letters</b>		
<input checked="" type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>		
<input type="checkbox"/>	<b>CI Report</b>		
<input type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>		
<input type="checkbox"/>	<b>Status Rpt</b>		
<input checked="" type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input type="checkbox"/>	<b>FTB Notice</b>		

<b>Reviewed by:</b> JF
<b>Reviewed on:</b> 01/07/14
<b>Updates:</b>
<b>Recommendation:</b>
<b>File 24A – Dixon</b>

Atty

Boyce, Dolores Diane (Pro Per – Paternal Grandmother – Petitioner)

Atty

Johnson, Susan H. (Pro Per – Maternal Grandmother – Petitioner)

Atty

Dixon, Brandon (Pro Per – Father – Objector)

Petition for Appointment of Temporary Guardianship of the Person

Brandon, age 7		<b>GENERAL HEARING 2-11-14</b>  <b>DOLORES DIANE BOYCE</b> , Paternal Grandmother, is Petitioner.  Father: <b>BRANDON DIXON</b> - Personally served 12-24-13 - Objection filed 12-31-13  Mother: <b>TAMERA HARRIS</b> (Deceased)  Paternal Grandfather: James Dixon Paternal Grandmother: Dolores Diane Boyce  Maternal Grandfather: Ronald Harris Maternal Grandmother: Susan Johnson - Competing petition set for 1-8-14  <b>Petitioner states</b> the mother is deceased and the father is in Fresno County Jail. Petitioner wants to provide stability. Also, the father signed a letter granting temporary guardianship to petitioner on 12-12-13. See attached.  <b>Brandon Dixon, Father, filed an Objection on 12-31-13</b> that states he is not giving up his rights. He wants to raise his children. He has been in their lives since they were born. He is the only father they have known. He loves them and they love him.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  <u>CONTINUED FROM 01/06/14</u>  1. <u>Need clarification:</u> Where are the minors currently residing?	
Tamar'j, age 3				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			W
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
✓	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc/JF Reviewed on: 1-7-14 Updates: Recommendation: File 24B – Dixon	